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6 UNITED STATES DISTRICT COURT
7 EASTERN DISTRICT OF NEW YORK

FILED
2018 MAY 13 PM 9:31
CLERK
U.S. DISTRICT COURT
E.D.N.Y.
APR 25 10 00 AM 2018

6 ELIZABETH "BETSY" COMBIER,

7 Plaintiff,

8 vs.

9 FRANCESCO PORTELOS, LUCIO CELLI, BRYAN
10 GLASS, ESQ. JORDAN HARLOW, ESQ. NEW YORK
11 DEPARTMENT OF EDUCATION, AND CARMEN
12 FARINA (THE CHANCELLOR FOR THE NYC DOE),
13 ALL SUED INDIVIDUALLY AND OFFICALLY,

14 Defendants

Case No.: 17-cv-02239(MB)(RLM)

LETTER TO HON. BRODIE AND HON. MANN: BETSY
KNOWINGLY LIED IN DOC. NO 67. THAT SHE DOE
NOT MAKE MONEY FROM HER BLOGS BECAUSE HER
BLOGS ARE USED FOR COMMERICAL
APPROPRIATION TO GAIN BUSINESS FOR 3020-A—AS
HER BLOGS ARE ALL ABOUT HER WINNING CASES,
LIKE PAGES PP 184 TO 186 IN BETSY'S DOC. NO. 117,
WHICH IS BETSY'S OWN EVIDENCE THAT SHE
KNOWINGLY LIED TO THE COURT. . LUCIO WOULD
LOVE TO KNOW WHY THE COURT IGNORES BETSY'S
MISCONDUCT?

16 Lucio Celli, one of the named defendants and hereafter "Lucio," files this letter to inform
17 Hon. Brodie and Hon. Mann that Betsy lied about fact that the plaintiff does not uses her blogs
18 for commercial appropriation in her business at representing teachers at their hearing and Betsy's
19 total case is based on her business. Please refer to Doc. No. 67, but her complaint states she
20 makes money off of it and now again, Betsy shows the court that her blogs are her livelihood.
21 How can the court continue to ignore the blatant misconduct? Was this how Cogan said he will
22 handle it? Please look at exhibit A in the comments.

23 Under the laws of certain states, including New York, a written release is necessary
24 whenever a person's name, picture, likeness or voice is "commercial;" in other words that it is
25 used for advertising or promotion (paid media insertion or speech promoting the sale of goods or

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services) or for any purposes of trade (products and merchandise). See N.Y. Civ. Rights Law §§50-51. The question whether a use is or is not commercial has always been a difficult one, and is becoming more difficult in light of new technologies that blur traditional lines between commerce and information. *Titan Sports, Inc. v. Comics World Corp.*, 870 F.2d 85 (2d Cir. 1989) (function and marketing determine whether use is for purpose of trade). See *Comedy III Prods., Inc. v. Gary Saderup, Inc.*, 25 Cal. 4th 387, 106 Cal. Rptr. 2d 126 (2001) (Three Stooges faces in a lithograph and on T-shirts held to be no more than celebrity likenesses with a commercial purpose); *Beverley v. Choices Women's Medical Center, Inc.*, 141 A.D.2d 89, 532 N.Y.S. 2d 400 (2d Dep't 1988), appeal dismissed, 73 N.Y.2d 785 (1988) (calendar given to medical center patients, female physicians, and others held to be advertising).

From the blog that Betsy did not place on docket:

1. **Anonymous said...**Will you contact and represent people who were fired? I know several people who were terminated after a 3020 hearing. There should be a follow up story on what could be done. The union should be sued for allowing this to go on. April 6, 2018 at 5:45 AM
2. **Betsy said...** Anyone who has a decision from a U-rating appeal, 3020-a, or Court that they want to discuss please contact me at betsy.combier@gmail.com. I am not an Attorney but I collaborate with several attorneys and we, together, try to fix injustice wherever it appears. April 6, 2018 at 8:47 AM
3. **Anonymous said...**Shouldn't the lawyers that worked with you help the teachers that were fired. They need a legal response to this story. April 21, 2018 at 7:19 AM
4. **Betsy said...**I think it is clear that we are ready to assist anyone who wants to pursue this issue for their own individual case. All that anyone has to do is

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1 email me and I will respond. My email is betsy@advocatz.com. All
2 communications are confidential, always. Betsy Combier. April 21, 2018 at
3 9:29 AM
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9 Dated this 4th of May, 2018.
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12 _____
13 Lucio Celli, pro se
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